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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,130	03/05/2001	Dieter Dohring	TURKP0113US	4010

7590 12/18/2002

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EXAMINER

GALLAGHER, JOHN J

ART UNIT	PAPER NUMBER
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1733

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DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/647,30

Applicant(s)

Examiner

Group Art Unit

AS-10

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 16 SEPTEMBER 2004
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-8 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-8 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 9
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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1. The disclosure is objected to because of the following informalities: Page 3 line 14 - it is felt that the term "on the surface of" should be replaced by the word "within" (i.e. for the sake of accuracy).

Appropriate correction is required.

2. Claim 7 is rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, there is no support in the specification for the limitation in this claim requiring the fibers employed to be "cellular". This could be considered to be a new matter rejection; however it is noted that applicants apparently intended to define the aforementioned fibers as being "cellulose", as per page 4 line 25 of their specification.

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Baranyi (newly applied) in view of Watson et al. (already of record - see paragraph 6 of the last Office action).

Baranyi discloses that it is known to form a multi (e.g. two) layer laminate composed of a decorative printed paper sheet and a paper overlay sheet (both sheets being impregnated with an aminoplast (i.e. U-F or M-F) resin) which two sheets are bonded together into an integral and unitary composite laminate. Provision is also made for the use of (fibrous) glass cloth instead of paper as the material of construction of (at least one of) the component layers of the laminated composite. (Figs. 1, 5-7 and 9, column 1 lines 15-21 and 28-59 (and N.B. lines 28-31 and 39-47), column 2 lines 25-35 and 58-72, column 3 line 1 thru column 4 line 2 (and N.B. column 3 lines 12-17), column 8 line 74 thru column 9 line 7, column 9 line 75 thru column 10 line 25, column 10 line 57 thru column 11 line 10, N.B. column 11 lines 30-33). It would have been obvious to one (or those) of ordinary skill in this art to employ the keying technique of Watson et al. (provided for by the interposition of a gritty particulate (e.g. corundum) layer between the paper plies) for this its documented beneficial function and result (viz. delamination prevention, ALONG WITH the CONCOMITANT press component protection capability provided for and deriving from the encapsulating of the emery

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(i.e. corundum or alumina) particles between the paper layers, in the manner envisioned by applicants i.e. consistent and in agreement with page 2 lines 14-18 and page 3 lines 29-30 of applicants' specification) in the lamination process disclosed in Baranyi, especially since the clear intent of Baranyi is that the (e.g. two) component layers of his final composite laminate product be permanently joined and adhered. Further regarding this rejection, the following are additionally advanced: (a) The overlay sheet or layer of Baranyi is seen to be (ultimately rendered) TRANSPARENT at least in view of the fact that it is impregnated with a "noble resin" (i.e. aminoplast) impregnant; the amount and particle size of the gritty (e.g. corundum) material employed in Watson et al. is held to be well within the purview of those of ordinary skill in this art to determine in order to achieve the desired result (viz. satisfactory lamination); and (c) the paper layers employed by both Watson et al. and Baranyi are held to constitute a (cellulosic) fiber fleece material (viz. a fibrous web) as envisioned for use by applicants, as set forth at page 4 lines 24-26 of their specification.

5. Applicants' amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a). The practice of

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automatically extending the shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. Gallagher whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball, can be reached on (703) 308-2058. The fax phone number for this Group is (703) ⁸⁷²⁻⁹³¹¹~~305-3599~~.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661/0662.



JJGallagher:cdc

December 10, 2002



JOHN J. GALLAGHER
PRIMARY EXAMINER
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